

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re JAVIER BARRAGAN, AM7771,
Petitioner.

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) No. C 16-6420 CRB (PR)
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) ORDER OF DISMISSAL
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On November 2, 2016, the clerk filed as a new habeas action a letter by petitioner seeking an extension of time to file a petition for a writ of habeas corpus. On that same date, the court notified petitioner in writing that the action was deficient because he did not file an actual petition or pay the requisite filing fee or, instead, submit a signed and completed court-approved in forma pauperis (IFP) application. Petitioner was advised that failure to file the requested items within 28 days would result in dismissal of the action.

More than 40 days have elapsed; however, petitioner has not provided the court with the requisite items or sought an extension of time to do so. The habeas action is DISMISSED without prejudice to filing a new habeas action accompanied by an actual petition and IFP application.

The clerk shall close the file and terminate all pending motions as moot.

SO ORDERED.

DATED: 12/20/2016

CHARLES R. BREYER
United States District Judge